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August 4, 2004

**BY HAND**

Ms. Zita Lovett  
Courtroom Clerk to the Honorable Joseph L. Tauro  
United States District Court for the District of MA  
1 Courthouse Way  
Boston, MA 02210

**Re: ITV Direct, Inc. v. Healthy Solutions, LLC, et al.  
U.S.D.C. C.A. No. 04-cv-10421-JLT**

Dear Ms. Lovett:

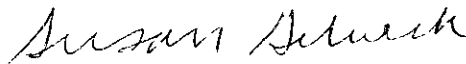
The parties to the above-referenced matter are scheduled to appear before Judge Tauro for a conference tomorrow, August 5, 2004 at 12:00 p.m., which was set by the Judge in his Order dated May 21, 2004. By that Order, Judge Tauro also denied the defendants' motion for expedited discovery, but allowed the plaintiff and the defendants each to complete four depositions by July 20, 2004, and scheduled the further conference following those depositions. In the meantime, on July 21, 2004, the Judge granted the parties' joint motion to extend the deadline for completing these eight depositions to August 31, 2004. At that time, the parties did not request a continuation of the August 5, 2004 conference.

Due to the fact that the parties have until August 31, 2004 to complete the initial depositions in this case, and that there are no pending motions at this time, we wanted to determine whether Judge Tauro would still like us to appear for the conference tomorrow.

Thank you for your assistance with this matter.

Sincerely yours,

SEYFARTH SHAW LLP

  
Susan W. Gelwick

cc: Dustin F. Hecker, Esq.  
Daniel J. Kelly, Esq.  
Becky V. Christensen, Esq.